

25 - 7/95

OGC HAS REVIEWED.

Personnel - 1

11 February 1974

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT : Appointment of [REDACTED]

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1. Our comment and recommendation have been requested in connection with the request by the Assistant Director for Current Intelligence for the appointment of [REDACTED] to the top step of grade GS-15. Civil Service regulations provide that new appointments will be made in the lowest step of the grade for which the individual is qualified unless he has previously received a salary from appropriated funds equivalent to a higher step. While [REDACTED] is qualified for appointment at GS-15, his last position in the Government was in a grade equal to the present GS-14.

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2. The Central Intelligence Agency is not legally subject to Civil Service Commission control, but has repeatedly stated, particularly to the Commission and the Comptroller General, that its policy is to comply with Civil Service policies insofar as it is practicable to meet the Agency's requirements thereunder. I am informed by the Office of Personnel that in its history the Central Intelligence Agency has made only one exception to this Civil Service policy on new appointments.

3. The Director has legal power to approve the requested personnel action, but in so doing would create an exception not only to general policy but also to the specific Agency regulation implementing that policy prescribing that new appointments will be made at the lowest step of a grade unless higher steps have previously been held. I recommend that such an exception not be made unless it can be justified by particular needs of the Agency which require the particular individual to be appointed at the requested salary level.

LAWRENCE R. HOUSTON
General Counsel

1 Att - Memo for DCI fr

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cc: AD/P.

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